

## REMARKS

Claims 1-35 were rejected in the Office Action mailed March 18, 2005. In the present response, claims 1-35 remain pending with claims 1, 9, 17, 25-29 and 34 currently amended.

### **Parts 2 and 3 of the Office Action – 35 U.S.C. §§ 112 and 132**

Claims 1-35 have been rejected under 35 U.S.C. §112, 1<sup>st</sup> paragraph because, according to the Examiner, claims 1, 9, 17, 25, 26, 27, 28 and 29 each recite a feature not supported by the specification. In addition, the specification of the present application has been objected to under 35 U.S.C. §132 because the above mentioned feature recited in claims 1, 9, 17, 25, 26, 27, 28 and 29 is not included in the specification according to the Examiner. Claims 1, 9, 25, 26, 27, 28 and 29 have been amended to clarify their scope in a manner that resolves the rejections and objections under 35 U.S.C. §112, 1<sup>st</sup> paragraph and 35 U.S.C. §132. Accordingly, withdrawal of these rejections and objections is respectfully requested.

### **Parts 4-8 of the Office Action – 35 U.S.C. §§102 and 103**

In the March 18, 2005 Office Action, claims 1-2, 4-10, 12-18, 20-27, 29-32 and 34 were rejected under 35 U.S.C. §102(b) as being anticipated by Hoyle et al. (PCT Int'l. Publ. No. WO 00/04434). Claims 3, 11 and 19 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Hoyle et al. as applied to claims 1, 9 and 17, in view of obviousness. Claims 28, 33 and 35 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Hoyle et al. in view of Kransnoiarov et al. (U.S. Publ. Appl. No. 2002/0156812). These rejections are respectfully traversed.

Claims 1, 9, 17 and 25 have each been amended to further recite:

*...wherein prior to receiving the content, a table at the client is accessed to determine whether at least a portion of the content is available locally to the client.*

As explicitly recognized by the Examiner, "Hoyle et al. does not specifically teach a table, per se, which is used to determine available content." The Examiner further asserts that:

*Krasnoiarov et al. teaches a list, which is a table of sorts, which lists the types of content components available from component servers and advertises these components to the users, wherein the list are maintained based on the operation of the system (e.g., [0011], [0014] and [0038]).*

While the Examiner's assertion suggests that lists are used in Krasnoiarov et al., a closer reading of paragraphs [0011], [0014] and [0038] in Krasnoiarov et al. relied on by the Examiner explicitly states that these lists are maintained within the Web server, not on the client. In complete contrast, the tables recited amended claims 1, 9, 17 and 25 of the present application are located at the client. An exemplary reason (and not necessarily the only reason) why the table resides on the client in the embodiments claimed under amended claims 1, 9, 17 and 25 is to help avoid transmitting unnecessary requests for content to the server. In contrast, Krasnoiarov et al. requires the transmitting of requests to the Web server in order to access the list of available content. Krasnoiarov et al. simply doesn't teach, disclose, describe or suggest such a feature in the manner recited in amended claims 1, 9, 17 and 25 of the present application.

As a result, claims 1, 9, 17 and 25 are believed to be patentably distinguishable over Hoyle et al. in view of Krasnoiarov et al. and therefore allowable. Claims 2-8, 30, 31, 32 and 34 depend from amended claim 1, claims 10-16 depend from amended claim 9 and claims 18-24 depend from amended claim 17. Therefore, claims 2-8, 10-16, 18-24, 30-32 and 34 are believed to be in condition for allowance at least by virtue of their respective dependencies.

Claims 26, 27, 28 and 29 have also been amended so that they each recite:

*...wherein prior to receiving the content, a table at the client is accessed to determine whether at least a portion of the content is available locally to the client.*

As discussed above, neither Hoyle et al. nor Krasnoiarov et al. teaches, discloses, describes or suggests the recitation of these elements. Accordingly, it is respectfully asserted that claims 26, 27, 28 and 29, as amended, are patentably distinguishable over Hoyle et al. in view of Krasnoiarov et al., and therefore, allowable. Claims 33 and 35 depend from amended claim 28, and are thus believed to be in condition for allowance at least by virtue of their dependencies.

For these reasons, withdrawal of the rejections to claims 1-35 under 35 U.S.C. §§102 and 103 is respectfully requested.

**Conclusion**

Thus, at least for the reasons stated above, claims 1-35 as currently presented are believed to be in condition for allowance. If the Examiner has any questions or needs any additional information, the Examiner is invited to telephone the undersigned attorney at (650) 843-3215.

In addition, if for any reason an insufficient fee has been paid, the Examiner is hereby authorized to charge the insufficiency to Deposit Account No. 05-0150.

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Respectfully submitted,

Squire, Sanders & Dempsey L.L.P.  
600 Hansen Way  
Palo Alto, CA 94304  
Telephone (650) 856-6500  
Facsimile (650) 843-8777

By: V. B.  
Vidya R. Bhakar  
Registration No. 42,323

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